

SISTERS, 6 AND 8, SPURN \$1,000,000 FOR FOSTER PARENTS' LOVE; WHAT WOULD THEY DO IF THEY WERE 21 YEARS OLD?

STRANGE QUERY PUT TO COURT

Interesting Question Is Raised Following Decision that Rich Grandmother Shall Be Given Custody of Little Millicent and Marion Holliday.

One Million Dollars Versus Love. That is the perplexing situation confronting Marion Read Holliday, eight, and her sister, Millicent, six.

If they were twenty-one, with full power of reason and outside the control of the courts in the matter, which would they choose?

Even at their tender, childish ages they have evinced a keen preference for the love they have attained and know rather than for the million dollars that may be theirs and the affection that it remains for an aged grandmother to prove.

In the drab, gray drudgery of the courts months may pass without disclosing a single case that holds interest to others than the litigants. Then suddenly, as in this instance, there bursts from the legal fogbank and the routine motions of the court a startling, gripping, heart-rending situation such as has torn the emotions of a family in New Jersey and two little children and has ripped the blouse veil from the hearts of the metropolis.

DOLLARS AND LOVE AT GRIPS.

For it is a case of human interest, a case of humane interest. It is a case at which dollars and love come to grips, in which dollars and law and possible affection have thus far been supreme over love alone. But, then, the old saying goes that "love will find a way."

Mrs. Frederick Sherwood, of Fanwood, N. J., from whom the courts would take the custody of her two foster children and give them to their grandmother, Mrs. Susie Church Holliday, of Flatbush, believes her love will find a way. She cries out:

"Isn't there something higher, nobler, more powerful than money? Isn't love supreme over law? I think there is something higher and greater than the letter of the law, and that this influence is love. And I think I can so convince Mrs. Holliday."

Reaching back into other years, far behind the decision of the courts, is a story of the estrangement of a woman and her son. The woman is

Mrs. Susie Church Holliday, wealthy widow, with a magnificent 600-acre estate in Pike county, Pa., automobiles, servants and all the luxuries her million-dollar fortune can afford.

The son was Read Holliday. For some time he and his mother had been estranged. So much so that she did not appear at his funeral when he died in 1917, though she now explains her age prevented her venturing out even on that solemn occasion in the storm of that day.

Mrs. Read Holliday did not long survive her husband. She fell victim two years ago to the white plague. On her deathbed, as in her will, she bequeathed pathetically the Sherwoods, long the friends of her husband and herself, take care of her two little orphans forever.

The Sherwoods, the facts have disclosed, are far from Mrs. Holliday, sr., in finances. From a clerkship with the Dry Dock Savings Institution, in New York, Sherwood through promotions, reached the treasurership. His income is \$10,000 a year. He has a neat little cottage in Fanwood and an automobile.

What he, from his own earnings, could do for the youngsters, would, of course, be of a moderate nature. But Mrs. Holliday, jr., in the wisdom of her will, saw to it that ample funds would be provided for comfortable rearing, travel, and education of the children.

She provided for each a trust fund of \$60,000, the income to be employed for their maintenance and education until they attain their majorities, when they shall receive the principal.

ENTER THE GRANDMOTHER.

Opposed to this assured life of comfort is the promise of a grandmother who, Mrs. Sherwood avers, has never even seen her grandchildren. Yet the grandmother insists on their custody and makes lavish promise that they will inherit her fortune, that she will send them abroad for educational purposes and furnish them all the comforts and luxuries her estate can devise and supply.

When a reporter went to Fanwood he found the children romping happily on the front. They were calling Sherwood "Father" and Mrs. Sherwood "Mother." They quite evidently had learned, in their two years in the Sherwood home, to love their foster parents as actual parents.

Tears coursed the cheeks of Mrs. Marianna Sherwood as she said:

"Several years ago Read Holliday and his wife took a house in Fanwood. We became firm friends. Mrs. Holliday was Miss Marion Kerns, of Philadelphia.

"Shortly before her death, with a premonition the end was near, Mrs. Holliday asked me whether my husband and I would take care of her two babies if anything happened to her.

"We had come to love the children dearly. We promised to do for them all that we could. When Mrs. Holliday died we took her children into our home—as their mother wished."

The first shadow in the sunlight of the Sherwood home came when, less than a year ago, the grandmother sued in the Brooklyn supreme court for possession of the girls.

Mrs. Sherwood continued: "Until that time we did not even know of the elder Mrs. Holliday's existence. We are sure she never

SCOFFED AT RICHES



MARION HOLLIDAY

saw the babies. We know she did not attend her son's funeral and did not attend her daughter-in-law's funeral. She did not even come to see her son when he was sick and dying. I cannot imagine why she wants these little girls.

"She was estranged, we learned, for years from her son and daughter-in-law. The girls have had the best personal care and loving attention we could give. When Marion and Millicent first came to us, Marion, the elder, was undernourished from improper feeding in spite of her parents' wealth. She was six years old then and weighed only thirty-five pounds. Even a

nurse had proved incapable of bringing them up properly. "Now both children are sturdy above the average physically. This has been due entirely to our care. We are even more careful with them, because of the sacred trust reposed in us by their mother, than we are with our own boy, their constant and happy playmate.

"If their grandmother gets these children they will be the losers. Their grandmother is wealthy. But she is incapable, because of her age, of caring for them personally. She would have to employ nurses and governesses again. And paid nurses had previously been unable to bring health to Marion.

"We mean to give Marion and Millicent everything that normal American children can get—a good home, a good time, a good education. When they are twenty-one, each will receive the \$60,000 left by their mother in trust. What can their grandmother give them that we cannot?"

"The children have called us

"Father" and "Mother" ever since their own mother's death. They learned to call us that without any instruction from us. Their mother told us she did not wish them to take any of their grandmother's money unless it were left to them outright. And I don't believe they will need it.

Note that it is asked, "What can their grandmother give them that we cannot?"

That was what came into Justice Faber's mind, too. So Mrs. Susie Church Holliday filed this affidavit:

"My station in life, my acquaintances, connections and social standing are such that the children will naturally benefit through being in my care. I have a handsome town house and a large summer place at Lake Michigan, Pike county."

PROMISES HER RICHES.

Then she went on to proclaim that if the children were given to her she would make them her heiresses. Against this, the Sherwoods pointed out that Mrs. Holliday has a son and a daughter living who probably would contest a will that gave the entire estate or the bulk of it to the grandchildren.

Mrs. Holliday offered to send the girls to private school, to college, to Europe on a broadening trip. She assured the court that at their command would be automobiles, servants, governesses, tutors, every luxury attendant on wealth and social position, such as the Sherwood couple, however, desirous of so doing they might be, could not afford.

Justice Faber approved the defense and rejected the demand of Mrs. Holliday for the children. He acceded to that clause of their mother's will in which the youngsters were bequeathed to the Sherwoods. So the writs of habeas corpus on which the old woman had brought the case into court failed to serve her purpose.

But the elder Mrs. Holliday is a determined woman. And she has means with which to take a case to a higher court when a lower tribunal is opposed. So she instructed her attorney to proceed with an appeal to the appellate division.

There, before five austere justices in Brooklyn, the same arguments and appeals and emotions were gone over. The five jurists reserved decision.

Whatever the law, it was a case of such human interest, and requiring such humane consideration, that its ultimate disposition must be determined on only after the most deliberate weighing of the facts.

PUZZLE FOR SOLOMON.

In reserving decision, Justice Rich, speaking also the minds of his colleagues on the bench, made this comment:

"I think the fact that these children will receive a large fortune if they are given to their grandmother and that they may lose it other-

wise is a question we must seriously consider."

The comment was called forth by the reminder of George H. Taylor, Jr., counsel for the Sherwoods, that the question of how much affection Mrs. Holliday has for her grandchildren is dependent on her possession of them.

He pointed out that the degree of this affection is subjected to question because there is no assurance they will receive all or any part of Mrs. Holliday's million-dollar estate unless they themselves are given to Mrs. Holliday.

He argued that a love so dependent on possession of the children was open to question as to its intensity if not as to its sincerity. He said that if the children could not get their grandmother's dollars unless their grandmother first obtained the children, then, indeed, there was considerable reason to doubt the grandmother's ability to hold affection for them at all. Else why did she not promise that in any event, out of love for the babies, she would provide for them handsomely in her will?

The five stern jurists took the papers into their respective chambers, pondered them deeply, frowned over the letter of the law as opposed to the demand of the heart, weighed the pros against the cons, and returned one day last week to the bench with their minds determined.

THE LAW VERSUS LOVE.

They were unanimous in their views. Whatever the Sherwoods might offer in argument as to their good care of the children over the past two years, there remained the fact that Mrs. Holliday was the nearest of kin to the children, and that Mrs. Holliday was in a position to make good her promise that she would bestow her fortune on them—if the children were taken from the Sherwoods and given to her.

And it was the unanimous view of the high court that whatever other considerations entered into the heartrending dispute, there remained the law. The law, they held, dictated to their judicial consciences that Marion and Millicent must go to their grandmother.

It was so ordered.

The decision said:

"In view of the fact that the petitioner is the grandmother of the infants and their own living relative in this country, except an uncle, and in view of the fact that her means are amply sufficient to insure the proper care, maintenance, and support of the infants, and the statement in her petition that 'it is your petitioner's intention, as well as that of the petitioner's son, to make the said infants their beneficiaries by will,' we think it is for the best interest that their custody be awarded to the petitioner."

When the interviewer called at the

"WE DON'T WANT NO MILLION"

Thus Walls Millicent and Her Cry Is Echoed by Marion the Elder—Love Will Find a Way, Says Grieving Mrs. Sherwood.

brown-gabled house in Fanwood, Mrs. Sherwood seemed nervously apprehensive that the automobile drawing up with the interviewer contained somebody come to effect the court's order and take the children away.

CHILDREN SHUN CHANGE.

The Sherwoods want to carry the fight to the court of appeals. But the fact that the appellate division was unanimous in its decision renders that resort impossible. The unanimity of the decision made it the last court answer to the unique controversy.

So today Marion and Millicent are constantly watching through the window. When the man approaching is "Father" they leap forward with glee. When it is a stranger they shrink back in fear and dismay.

They are too young to realize what a million dollars mean. But nobody, however young, is too young to appreciate what love means. And, as at the other end of life one discovers that love is, after all, the one big influence in life worth while, so these distraught babies have learned that love is the greatest thing their lives thus far have known.

To others of greater years a million dollars might be a handsome dream. To these tiny children it is a bugaboo. It is a nightmare that afflicts them with the tortuous vision of being wrested from the home they love and from the "father" and "mother" who, by two years of constant and loving comradeship, have been spread on their memories and heart as the acme of all that is good in the world.

Marion and Millicent gazed in silent wonder and sorrow as the interviewer visited. Their eyes roved from their foster parents to the reporter, and every once in a while, tearfully pleading, pointingly insistent, Millicent, the younger of the two, would wind her arms clingingly around her "mother's" neck and proclaim:

"Don't want no million dollars!"

And Marion, equally fervid, would exclaim:

"No, I don't want no million dollars!"

HOW BRITAIN TRIED TO BRIBE AFGHANISTAN TO END RUSSIAN PACT

"I Have Positive Proof That the English Mission at Kabul Proposed to Donate Artillery and Millions of Money if Afghanistan Would Repudiate Treaty and Banish Russ Ambassador," Says Envoy.

Here is the translation of a statement handed to Karl H. Von Wiesner, staff correspondent of the New York American and Washington Times in Berlin, by Djemal Pasha, envoy extraordinary of the Angora Turkish government to Afghanistan. In the statement, Djemal Pasha, who during the war was minister of Marine in Talaat Pasha's Young Turk Cabinet, exposes a British attempt to bribe Afghanistan to break the Afghan treaty with Russia.

Djemal Pasha went to Afghanistan to reorganize the Afghan army and work in conjunction with Soviet Russia to make Afghanistan the key-stone to Central Asia. He is now in Europe after a lengthy conference with the Soviet government in Moscow.

By DJEMAL PASHA, Envoy Extraordinary of the Angora Turkish Government to the Emir of Afghanistan in Kabul.

A COMMERCIAL TREATY was signed and exchanged in London between the Russian Soviet representative and the English minister of commerce four or five months after my arrival in the capital of Afghanistan which, under the intelligent direction of the present Emir, is making the most meritorious efforts to overcome foreign pressure and political influence.

The newspapers which, while giving the extracts from the treaty, published the entire contents of the note handed to Krassin by Sir R. Horne at the time of exchanging the treaties. I was greatly surprised that I was mentioned in this note.

His majesty the Emir was then busy preparing treaties to settle the diplomatic relations between Afghanistan, Soviet Russia, and England. I did not care then to answer the note by Sir R. Horne, fearing my action might influence the work on these treaties.

the great world war, especially as regards national emancipation of different peoples, have had very great repercussion in all countries.

India could not remain insensible to this great movement. The government insists that the British government in India end this state of affairs. But this latter, unable to carry out its instructions, is forced to blame its predicament on causes outside of India.

It tries to gain time by accusing, first, the Afghanistan government, then the Soviet government, then the Angora government and then Djemal Pasha, who went into Afghanistan only to place his services at the disposal of the new Emir. That is the explanation.

As long as I stayed in Afghanistan I advised the Emir to follow the

policy of peace and good relations with Soviet Russia, as well as with England. I found the Emir a convinced partisan of this principle.

BRITISH DUPLICITY.

Afghanistan is resolved to take its place among the nations of the world without the tutelage of any foreign government, and it has today all the means necessary to attain these ends. The Emir made known his high aim to the chiefs of the different civilized nations through a mission which he sent in the spring to Europe and America.

He prepared for his country new laws based on modern exigencies and sent hundreds of young men to study in Europe and America. It is this initiative and this ardent work of modernization which has wrongly brought fears to the English govern-

ment who are now trying to make these plans fail so as to keep Afghanistan in its backward condition.

The steps undertaken by the English representatives at Riga and Warsaw to prevent the Afghanistan Diplomatic Mission from being received in these two cities confirm the English policy. I do not know if the Soviet government has policies which conflict with the English political policies in Afghanistan and India. I also do not know why, under the terms of the Russian-Afghanistan treaty, the Soviet government accords material help to Afghanistan, because this treaty had been signed before my arrival at Kabul.

On the other hand, I have positive proof that the English Mission at Kabul made to the Afghanistan

government the following proposition.

1—A gift to the Afghanistan government of 20,000 rifles, twenty batteries of artillery, equipment for twenty companies of machine guns, 4,000,000 rupees annually, payment in twenty-five annuities of the sum of 40,000,000 rupees promised to the former Emir for his neutrality during the course of the great war, etc.

2—In exchange for these advantages Afghanistan should repudiate the Russian treaty, send away the Russian ambassador, expel from the country all persons whose presence, like mine, was considered dangerous, and to spread revolutionary propaganda against Russia in the Mohammedan countries of Central Asia.

In addition to that, Afghanistan

not on the board as advocates of the respective disputants, but that they also, in a high sense, represent the general public.

"After all, the railroad owners and the employees are merely segments of the public."

He also commented on the lack of uniformity of plans and ideas among the carriers.

"This particularly interested me in our work on the shop craft rules," he went on. "On practically all rules of a general nature there were wide divergencies of opinion and proposal among the roads. One carrier would agree to a rule in a certain form and another would stoutly oppose it in that form."

"This I think, was creditable to the men representing the roads. It showed they were not committed to a hard and fast programme of irreducible demands."

"It was really a matter of psychology. The representatives of one road, as it happened, were somewhat liberal in their views, and those of another road a little more exacting."

Catapult Dance

LONDON, Dec. 31.—A feature of several of the more popular West End shows is sensational dancing, where the man literally throws his partner all over the stage. The dances also involve hand-balancing feats and all manner of trained agility.

MODERN BIG BUSINESS THE GREATEST DRAMA

By EARL L. SHAUB.

Universal Service Staff Correspondent.

CHICAGO, Dec. 31.—What is the greatest drama in the world?

In the opinion of Ben W. Hooper, vice-chairman of the Railroad Labor Board, the big human interest stories of modern life are being enacted in business and industry.

"It is in this field," he told me, "that we witness the titanic conflict of immeasurable social forces and see the heroic struggles of real men and women."

This former Governor of Tennessee then related how he has been gripped by the color and intensity of the labor situation since he became a member of the Federal board less than a year ago.

"I shall never forget the gripping interest of the board's proceedings the first time I participated in its sessions," he said. "Coming from a mountain section of the South, I had not been in intimate contact with the problem of capital and labor. As Governor of Tennessee I had dealt with it in a legislative way, but was never before afforded a 'close-up' of the naked situation."

"No scene is more dramatic than a labor hearing. On one side of the room sit presidents, managers, council and statisticians of great railroads. On the other are the officials and experts of the unions. A stran-

ger could not distinguish between the two groups, both being able, alert and efficient bodies of men.

PROBLEM AFFECTS ALL.

"At such a meeting we have focused the paramount labor problem of the nation, a problem that touches every man, woman and child in the country.

"It represents the Government's experiment, designed to ascertain whether the differences between the carriers and employees should be adjusted by the orderly process of a judicial tribunal, or whether the people should continue to suffer the loss, inconvenience, and misery incident to labor disturbances."

"As little as men think of it, the ultimate success or failure of our free institutions is wrapped up in this question. On the one hand lies the hope of continued progress and prosperity that have always come out of the individual efforts of men in a land of open opportunity. On the other hand lies the possibility

of industrial demoralization and the gradual descent into the bedlam of bolshevism.

"What is more dramatic than that?"

Mr. Hooper, who is considered President Harding's spokesman on the board, then corrected a popular misconception regarding the working of the board, which is divided into three groups, one representing the railroads, one representing the unions and one the public.

"It is commonly believed," he said, "that the railroad group always votes favorably to the roads and the labor group in the interest of the employees. This is not correct. It happens almost every day that one or more members of the railroad group votes favorably to the employees and that representatives of the labor group vote in favor of the contention of the carriers."

"This is as it should be, for these men recognize that they are

National Afghanistan Council Did Not Overlook the Importance of the English Proposals and Met Them by a Set of Counter Proposals Presented to Sir Henry Dobbs Few Months Ago, Declares Royal Writer.

could not have diplomatic relations with any countries except through the British government.

The importance of these propositions happily was not overlooked by the National Afghanistan Council which assembled toward the end of July this year at Kabul. The Council decided to refuse the English offers and to conclude with Great Britain a treaty of friendship based on the recognition of the complete independence of Afghanistan and the assurance of its progress.

It was on this basis that the Afghanistan government made new propositions to Sir Henry Dobbs. If the English people only knew the dangerous game being played by its government on the frontier of India and Central Asia! Does it not know that when the surest policy to follow consists not only in protecting its own interests, but in considering the interests of other nations, the present English government is seeking to prevent the progress and liberation of Mohammedan countries in the East?

If every Mohammedan is today hostile to England the fault is not with the Angora government nor Djemal Pasha; it is only due to the understanding which every Muslim has of his rights and legitimate defense, and the whole world revolts against a policy that is trying to suppress this.

I should like to cite one more example as a most convincing proof that I have acted against English influence in Afghanistan. Toward the end of January, 1921, the minister of foreign affairs in Afghanistan said that if I wished he would put me into communication with Sir Henry Dobbs, the head of the English mission. The minister wished me to explain directly to Sir Henry Dobbs my political point

of view and to show him that my stay in Afghanistan had not been detrimental but had been probably profitable.

I accepted this proposition and I had an interview of about three hours with Sir Henry Dobbs in the Chateau Ichil-Soutoun. About two weeks later Sir Henry Dobbs said he would like to visit me personally at home, and that is how the second interview took place.

But that was our last interview, because the English government severely reproached its ambassador for it and even ordered him to cut off all relations with me. Twenty or twenty-five days after this interview the English government, in a note by Sir R. Horne, commenced attacks on me, but in a letter sent to me as I was leaving Kabul, Sir H. Dobbs wished to show me that he did not share the opinion of the English government. His letter follows:

"KABUL, Sept. 1, 1921.

"I have just received the news that you leave tomorrow for Am-tolia and I am hurrying to wish you a happy voyage. I very much regret that the exigencies of my position here have prevented me from taking advantage of being near you. But I assure you that you have the best wishes of my colleagues and myself for the future.

(Signed) "H. DOBBS."

If the English government wishes to live in peace and harmony with Afghanistan it need only accept a treaty of peace based on the latest proposition made by the minister of foreign affairs for Afghanistan and then it can be sure of the frontiers to the northwest. But it must bear in mind the demands made by the frontier troops.